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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 30TH DAY OF JUNE 1998

BEFORE

THE HON'BLE MR.JUSTICE H.L.DATTU.

WRIT PETITION NO:24802/1993.

BETWEEN:

Shivappa Hanumappa  
Haramagatti,  
aged about 24 years,  
Peon: Zilla Parishad  
High School,  
Kanavalli,  
Haveri Rd.,  
Dharwad District.

...PETITIONER.

( Sri M.V.Hiremath Adv., )

AND:

1. The Secretary  
Mandal Panchayath,  
Kanavalli,  
Haveri Tq.,

2. Head Master,  
Zilla Parishad  
High School,  
Kanavalli,  
Haveri Tq.,
3. The Chief Secretary  
Zilla Parishad,  
Dharwad District,  
Dharwad.
4. The Deputy Director  
Dept. of Public  
Instructions,  
Dharwad District,  
Dharwad.

...RESPONDENTS.

( Sri S. Udayashankar AGA )  
*Box R-4* )

Writ Petition filed under Articles  
226 and 227 of the Constitution of India  
with an affidavit praying to Direct the  
respondent to consider the case of the  
petitioner for regularisation of his service  
in R2 institution from 1.10.1989. and pay  
the salary of the petitioner from July 1990  
till this date with 18% interest.& etc.,

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Writ Petition is coming on for  
hearing this day the court made the  
following:

O R D E R

Petitioner in this writ petition  
claims that he is working as peon in the  
2nd respondent Zilla Parishad High School,  
managed by 3rd respondent Zilla Parishad,  
Dharwad District. He is before this Court  
for a direction to the respondents to  
regularise his services in the post held  
by him and also for payment of salary with  
effect from July-1990 entitled to for the  
same.

Petitioner has not produced any material  
before this court to demonstrate that he  
had made appropriate representation before  
the respondent authorities requesting them

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the reliefs sought in this writ petition. In my view, at the first instance, petitioner ought to have approached the respondent authorities for the reliefs sought in this writ petition. If for any reason, that request of the petitioner is not considered by the respondent authorities within a reasonable time or had been rejected by the respondents, then only a cause of action would arise for the petitioner to approach this court for a direction.

3. In that view of the matter, without expressing any opinion on the merits or demerits of the petitioner's case, this writ petition is disposed off reserving liberty to the petitioner to make appropriate representation before the respondent authorities requesting them to regularise his service with effect from July-1990.

It is needless to say if such a representation

BKP

c. by V. L. C.

r. by *8/10/98*

*[Handwritten signature]*

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